

### **REMARKS**

Claims 1-12 and 17-20 are pending, with claims 1, 5, and 9 being independent. Claims 1-3, 5-7, 9-11, and 17-20 have been amended. Support for the amendments, such as, for example, a client controller structured and arranged to store a library of two or more different sound segments,<sup>1</sup> receive instructions that a particular library has been selected,<sup>2</sup> and load the library such that multiple sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected library,<sup>3</sup> may be found in the specification and drawings. No new matter has been added.

### **Interview**

Applicant wishes to thank the Examiner Manoharan and Primary Examiner D'Agosta for the courtesy extended to Applicant's representatives on June 07<sup>th</sup>, 2006. The interview included a discussion of claim 1 and the rejection of record (at the time) under 35 U.S.C. § 103, and the proposed references. This reply reflects the substance of the interview in view of the new reference.

### **Hollstrom, Hoisko, and Kovales Rejection**

Claims 1-12 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being rendered obvious by Hollstrom et al. (U.S. Pub. No. 2001/0041588) in view of Hoisko et al. (U.S. Pub. No. 2002/0082007), and further in view of Kovales et al. (U.S. Patent No. 7,003,083). Applicant has amended the claims to obviate the § 103(a) rejection.

As amended, claim 1 now recites a device for inserting sound segments into a voice channel carrying a voice stream of a voice transmission communication device. The device includes a client controller structured and arranged to store a library of two or more different sound segments, receive instructions that a particular library has been selected, and load the

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<sup>1</sup> See "sets of files to play" Specification [0027]; Figure 2, 205 & 210

<sup>2</sup> See Specification [0027] and [0033]; Figure 3, 315 & 320

<sup>3</sup> See "trigger mechanisms" Specification [0027]; Figure 2, 245

library such that multiple sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected library. The device also includes a display configured to present a menu associated with two or more different sound segments within the selected library loaded by the client controller. The device further includes a communications interface configured to establish a voice channel. Also, the device includes two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the library loaded by the client controller for insertion into the voice channel responsive to sound trigger button activation during an ongoing communication over the voice channel. Further, the device includes a mixer configured to couple with the audio channel, to receive a selected sound segment within the library loaded by the client controller in response activation of the sound trigger button and to inject the selected sound segment into the voice channel, the voice channel contemporaneously carrying the selected sound segment and voice stream as a single output stream.

Applicant respectfully requests reconsideration and withdrawal of the rejection because, at least, Hollstrom, Hoisko, and Kovaless, individually or in combination, fail to describe or suggest “a client controller structured and arranged to receive instructions that *a particular library has been selected*” and “*load the library such that multiple sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected library,*” or “two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is established, *each sound trigger button being configured to enable selection of a specific corresponding sound segment within the library loaded by the client controller*” as recited in amended claim 1.

The primary reference, Hollstrom, is directed to a wireless phone that allows a user to listen to music. As shown in Figs. 1 and 5, Hollstrom teaches an accessory device 8 that is coupled to a phone. The accessory device 8 may include a flash card for loading music. While Hollstrom describes mixing music for multiple users, Hollstrom does not disclose “two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is

established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the library loaded by the client controller,” as included in amended claim 1. The shortcomings of Hollstrom are understandable, given the apparent focus of Hollstrom on the problem of having to use separate devices for listening and communications,<sup>4</sup> which is described most clearly in its background section.

Further, the shortcomings of Hollstrom appear to be acknowledged by the Office Action, as the Office Action indicates its reliance on Hoisko to teach the original limitations of “a display configured to present a menu of two or more different sound segments available for selection” and “a controller configured to associate each of the two or more different sound segments presented within the menu with a corresponding trigger.”

Hoisko teaches a method for expressing affective communication by telephone.<sup>5</sup> In Hoisko, music associated with an affective state (e.g., mood) playing in the background of the message gives the called party immediately an idea of the state of mind of the caller.<sup>6</sup> For a call, suitable background music is specified in advance or by means of an automatic state of mind recognizer, such as, an electromyogram sensor.<sup>7</sup>

In Hoisko, the insertion of music is setup prior to the call, as shown in all four embodiments of the method.<sup>8</sup> In one representative embodiment:

**When starting a call, the caller 32 determines his state of mind 52 and selects in the menu 28 the name of an effective state or musical composition, whereby a corresponding identifier 64 is stored in the phone's memory. After that, the caller makes a call...**<sup>9</sup>

While Hoisko relates to the rendering of music, Hoisko represents different technologies and is designed to realize different objectives. Specifically, Applicant submits that Hoisko does not disclose or suggest “two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is established, each sound trigger button being configured to

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<sup>4</sup> See Hollstrom, Paragraphs 1-23.

<sup>5</sup> See Hoisko, Abstract

<sup>6</sup> See Hoisko, Abstract.

<sup>7</sup> See Hoisko, Paragraph [0021]

<sup>8</sup> See Hoisko, Embodiments FIGS 3-6, and Paragraphs [0027, 0028, 0030, and 0031] respectively

<sup>9</sup> See Hoisko Paragraph [0030]

enable selection of a specific corresponding sound segment within the library loaded by the client controller” as included in amended claim 1.

Shortcomings of Hoisko appear to be acknowledged by the Office Action, as the Office Action indicates its reliance on Kovaless to teach the “trigger activation during an ongoing communication over the voice channel.”<sup>10</sup> However, Applicant submits that Kovaless does not disclose or suggest “a client controller structured and arranged to receive instructions that a *particular library has been selected and load the library such that multiple sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected library,*” or “two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is established, *each sound trigger button being configured to enable selection of a specific corresponding sound segment within the library loaded by the client controller*” as recited in amended claim 1.

Kovaless teaches mixing one or more sound files with a telephone caller's voice message (or within the caller's person-to-person conversation), either as background for that message or embedded within the message.<sup>11</sup> In Kovaless, a user initiates a telephone call and enters background music into the phone call. For example, a user may connect to a voice mail system and insert background music after receiving a specific prompt inviting input.<sup>12</sup> Applicant submits that Kovaless does not disclose or suggest “instructions that a particular library has been selected,” and consequently does not disclose or suggest a “client controller structured and arranged to receive instructions that a particular library has been selected and load the library such that multiple sound trigger buttons on a handset become programmed to each correspond to a specific sound segment within the selected library,” or “two or more sound trigger buttons adapted to be activated in response to a user input after the voice channel is established, each sound trigger button being configured to enable selection of a specific corresponding sound segment within the library loaded by the client controller” as recited in amended claim 1.

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<sup>10</sup> See Office Action, Page 4

<sup>11</sup> See Kovaless, Column 1, lines 19-24

<sup>12</sup> See Kovaless, Figure 1, 105

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the § 103(a) rejection of claim 1 and its dependent claims 2-4 and 17.


Similarly to claim 1, each of independent claims 5 and 9 have been amended to recite limitations believed to place them in condition for allowance. Accordingly, Applicant respectfully requests withdrawal of the § 103(a) rejection of claims 5 and 9, and their dependent claims 6-8, 10-12, and 18-20, for at least the reasons discussed above with respect to claim 1.

Applicant submits that all claims are in condition for allowance. No fees are believed due at this time. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

1/12/2006

  
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